

SENATE BILL NO. 63

INTRODUCED BY R. LAIBLE

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE ABANDONMENT OF GAME ANIMAL, GAME FISH, AND GAME BIRD MEAT AT A MEAT PROCESSING PLANT; PROVIDING A PENALTY; PROVIDING FOR CONFISCATION AND SALE OF ABANDONED MEAT AND COMPENSATION FROM THE SALE PROCEEDS TO THE MEAT PROCESSOR TO COVER REASONABLE COSTS OF PROCESSING AND STORAGE; AND PROVIDING FOR THE DISPOSITION OF UNSOLD, CONFISCATED MEAT."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Abandonment of wild game meat at processing plant prohibited -- penalty. (1) A person may not abandon meat from a game animal, as defined in 87-2-101(6), a game fish, as defined in 87-2-101(7), a migratory game bird, as defined in 87-2-101(9), or an upland game bird, as defined in 87-2-101(15), at a meat processing plant.

(2) Absent an agreement between the person and the owner or operator of the meat processing plant that provides otherwise, the act of leaving game animal, game fish, or game bird meat at a meat processing plant for more than 45 days is prima facie evidence of abandonment of meat at a meat processing plant in violation of subsection (1), as long as the owner or operator of the meat processing plant has attempted to notify the person in writing of the expiration of the 45-day period.

(3) Following the written notice required in subsection (2), the owner or operator of the meat processing plant shall report a violation of this section to the department. The department shall then confiscate the meat and sell it in the manner provided in 87-1-511(1). The owner of the meat processing plant is entitled to the proceeds from the sale of the confiscated meat up to the amount of reasonable processing or storage costs incurred, following a conviction under this section or within a reasonable time after a violation of this section is reported. If the department is unsuccessful in selling the confiscated meat, the department may donate the meat to state institutions, school lunch programs, the department of public health and human services, or charitable institutions or otherwise dispose of the meat as the department considers appropriate.

(4) A person who is convicted of purposely, knowingly, or negligently abandoning wild game meat at a meat processing plant in violation of this section is guilty of a misdemeanor and is subject to the penalties

1 provided in 87-1-102(1).

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3 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
4 integral part of Title 87, chapter 3, part 1, and the provisions of Title 87, chapter 3, part 1, apply to [section 1].

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